IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 4TH JANUARY 2007 / 14TH PAUSHA 1928

WP(C).No. 150 of 2007(P)

PETITIONER:

MR. CHACKO THOMAS, AGED 40,
S/O. THOMAS, KUNNEL HOUSE,
NEDUMKANDOM P.O.

BY ADV. SRI.S.SACHITHANANDA PAI

RESPONDENTS:
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1. UNION BANK OF INDIA,
UNION BANK BHAVAN, P.B.NO.307, M.G.ROAD,
STATUE, THIRUVANANTHAPURAM.

2. UNION BANK OF INDIA,
BRANCH NEDUMKANDOM.

3. MR. JAMES ANTONY,
POLENTHINKAL HOUSE, NEDUMKANDOM.

R1 AND R2 BY ADV. SRI.A.S.P.KURUP, SC, UBI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

W.P.C.NO. 150 OF 2007

Dated this the 4th day of January, 2007

JUDGMENT

Heard counsel for the petitioner and Sri. A.S.P. Kurup for the Union Bank of India. Since petitioner has undertaken to clear the entire arrears in monthly instalment of Rs. 50,000/- and the loan amount is below Rs. 5 lakhs, W.P. is disposed of recording the undertaking of the petitioner with direction to the Bank to withhold recovery proceedings for payment as above, the first instalment of which will be paid on or before 31.1.2007 and the balance on or before last day of following months until arrears are cleared. However, if there is default in payment of any instalment, the instalment facility will stand vacated and the Bank will be free to proceed for recovery without any further notice.

(C.N.RAMACHANDRAN NAIR)
Judge